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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BY FAX

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E-filing

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The Moore Law Group, APC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PSG

BEHNAM ZAMANIAN,
Plaintiff,

vs.

THE MOORE LAW GROUP, A
PROFESSIONAL CORPORATION; and
Does 1-20, Inclusive,

Defendant(s).

Case No.
CV 12 2832

NOTICE OF REMOVAL

(Santa Clara County Superior Court
Case No. 1-12-CV-224498)

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1 Pursuant to 28 U.S.C. §§1331, 1441, and 1446, Defendant The Moore Law Group,
2 APC ("TMLG"), by and through its undersigned counsel, hereby removes the action
3 caption *Behnam Zamanian v. The Moore Law Group, APC* which was filed in the Santa
4 Clara Superior Court on May 15, 2012, as Case No. 1-12-CV-224498, to the United States
5 District Court for the Northern District of California. Removal is proper as this case
6 involves a federal question since the Complaint alleges violations of the Fair Debt
7 Collection Practices Act ("FDCPA") 15 U.S.C. 1692 et seq.

8
9 Any civil action commenced in state court is removable if it might have been brought
10 originally in federal court. 28 U.S.C. §1441(a); *See Exxon Mobil Corp. v. Allapattah*
11 *Services, Inc.* (2005) 545 US 546, 563 holding "district court has original jurisdiction of a
12 civil action for purposes of §1441(a) as long as it has original jurisdiction over a subset of
13 the claims constituting the action."

14
15 In connection therewith the undersigned represents as follows:

16
17 1. Plaintiff Behnam Zamanian, filed his Complaint on May 15, 2012, in the Santa
18 Clara County Superior Court.

19
20 2. Plaintiff served Defendant TMLG with the Complaint by personal delivery on
21 May 23, 2012. A copy of the Complaint is attached hereto as Exhibit 1.

22
23 3. No other process, pleadings or orders have been served on Defendant TMLG.

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25 4. Plaintiff alleges that Defendant owes him monetary damages for alleged
26 violations of the FDCPA 15 U.S.C. 1692 et seq. and California Rosenthal Fair Debt
27
28

1 Collection Practices Act Cal. Civ Code §1788 et seq.

2 5. Plaintiff's claims have been brought at least in part under the FDCPA 15 U.S.C.
3 1692 et seq., which supplies a federal question.
4

5 6. The above captioned federal district court has original jurisdiction over the
6 subject action pursuant to 28 U.S.C. §1331 since there is a federal question.
7

8 7. Pursuant to 28 U.S.C. §§1331, 1441, and 1446, this case may be removed from
9 the Santa Clara County Superior Court to the United States District Court for the Northern
10 District of California.
11

12 8. This Notice of Removal has been filed within thirty days of commencement of
13 the state court action.
14

15 9. No previous Notice of Removal for the relief sought herein has been made to
16 this or any other Court.
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18
19 Dated: May 31, 2012

The Moore Law Group, APC

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21 By: 

Harvey M. Moore, Esq.

Terri Lazo, Esq.

Attorneys for Defendant

The Moore Law Group, APC
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